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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,345	08/11/2006	Tsutomu Matsubara	1163-0576PUS1	6519
2292 7590 03/20/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER NWUGO, OJIAKO K				
ART UNIT 2612		PAPER NUMBER		
NOTIFICATION DATE 03/20/2008		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

### Office Action Summary

**Application No.**

10/589,345

**Applicant(s)**

MATSUBARA, TSUTOMU

**Examiner**

OJIAKO NWUGO

**Art Unit**

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-85/86)
- Paper No(s)/Mail Date 08/11/2006
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

**Claim 1, 3, 4, 7, 17** are rejected under 35 U.S.C. 102(e) as being Beng San Chua by US patent application 2006/0136125. (Hereafter referred to as Chua)

Regarding **Claim 1** Chua discloses in fig. 5 and paragraph 42 in light of paragraphs 24 and 27 a display controller 26 used the setting of predetermined area of the display. This reads on "setting means for setting a display mode of facilities"

Further in Fig 2: step 2 and paragraph 27 the loading of road map relevant to present location. This read on "facility identifying means for identifying facilities to be displayed"

In figs. 1 and 5 and paragraphs 24 and 12, disclosed is display device with a split screen display 14 showing the immediate vicinity of a moving vehicle and display 15 showing a wide area map. The dimensions of the displays are set at the user's discretion. This reads on "display means for displaying on a map at least one of a moving picture and a still picture of the facilities identified by said facility identifying means in accordance with the display 3 mode set by said setting means".

Regarding **claim 3**, Chua discloses in paragraph 23 that the display device is a PDA, mobile telephone, a (tablet, notebook or a laptop) computer, all associated with input keys.

Regarding **claim 4**, Chua discloses in paragraphs 25 and 27 the zooming capability of the of the display device this reads on "display means three-dimensionally displays an image of the facilities identified by said facility identifying means on a wide-area map, and zooms in on the image of the facilities."

Regarding **Claim 7**, Chua discloses in paragraph 33 a feature that allows for zooming to next scale level.

Regarding **Claim 17**, Chua discloses in paragraph 40 the use of parallel lines to indicate the location of an object thus displaying guidance on facility.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 2** is rejected under 35 U.S.C. 103(a) as being unpatentable over Chua in view of Timo Vitikainen US Patent application US 2004/0172191. (Hereafter referred to as Vitikainen)

Regarding **Claim 2** Chua does not indicate the use of blinking symbol to indicate an object on a display. Vitikainen discloses in paragraph 79 a user input system with voice recognition capability.

It would have obvious for one of ordinary skill at the time of the invention to use the voice recognition of Vitikainen in Chua to improve system user-friendliness.

Regarding **Claim 15** Chua does not indicate the use of blinking symbol to indicate an object on a display. Vitikainen discloses in paragraph 58 "route segment 504 may begin to blink, indicating that route segment 504 was the last segment drawn since receipt of any route drawing commands".

It would have obvious for one of ordinary skill at the time of the invention to use the blinking of Vitikainen in Chua to highlight objects.

**Claim 5, 6, 8-14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Chua in view of C.E. Shipley US Patent Application Number 2004/0204849. (Hereafter referred to as Shipley)

Regarding **claim 5**, Chua discloses all the limitation of claim 5 as applied to **claim 4** except a map zoom and rotating capability. Shipley disclose in paragraph 213 a map display with map zoom and rotating capability.

It would have been obvious for one of ordinary skill at the time of the invention incorporate the rotating map of Shipley into Chua map in line with orientation of vehicle.

Regarding **claim 6**, Shipley discloses in paragraph 235 in view of paragraph 52, at a zoom level of a 100% that the chart or map is near completely displayed. Thus at little less that 100 zoom the entirety of map will be displayed.

Regarding **claim 8**, Shipley discloses paragraph 213 user control options fro chart zoom level and chart rotation.

Regarding **Claim 9**, Shipley does not redisplay request, but as treated in **claim 5** discloses a zoom and rotation function.

It would obvious too apply these functions to any map on the display at the discretion of the user.

Regarding **claim 10**, Chua discloses all the limitation of **claim 10** as applied to **claim 1** except specifically displaying an image destination. Shipley discloses in paragraph 48 in light of abstract, the display of an area of interest like the destination in greater detail.

Regarding **claim 11**, Shipley discloses in paragraph 48 , the navigation software program 18 may include separate applications that provide navigation features and functions, such as route calculation, chart display, user positioning (e.g., chart matching), route guidance (wherein detailed directions are provided for reaching a desired destination), and other functions.

Regarding **Claim 12**, Shipley in its abstract discloses the abstract the displaying a chart or map such that the area in close proximity to an area of interest is in greater scale than an area that is distant and creating the image.

Regarding **Claim 13**, Shipley discloses in paragraphs 199 that the output color displayed in the colors

Regarding **Claim 14**, Shipley in its abstract discloses the abstract the displaying a chart or map such that the area in close proximity to an area of interest is in greater scale than an area that is distant and creating the image.

**Claim16** is rejected under 35 U.S.C. 103(a) as being unpatentable over Chua over Frederick D. Fox U.S. Patent 7069232 (Hereafter referred to as Fox)

Regarding **Claim 16**, Chua does not the use of color codes. Fox discloses in col. 13 lines 54-64 the use of color codes to indicate weather condition of various locations.

It would have obvious for one of ordinary skill at the time of the invention to use the color code of Fox in Chua to indicate favorability of weather conditions as taught by Fox.

**Claim 18** is rejected under 35 U.S.C. 103(a) as being unpatentable over Chua in view of Ihung S. Tu US Patent application 2005/0177304. (Hereafter referred to as Tu).

Regarding **claim 18** Chua does not disclose speech recognition capability. Tu disclose the use of voice guidance with map display.

It would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate the voice recognition capacity of Tu into Chua to make display more user friendly.

Regarding **Claim 19**, Tu discloses in Fig. 1F and paragraph 10 a route guide from start to destination.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OJIAKO NWUGO whose telephone number is (571)272-9755. The examiner can normally be reached on M - F 7.30am - 5.00pm EST, Alternate Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (571) 272 2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OHN

/Davetta W. Goins/  
Acting SPE of Art Unit 2612